

## EXHIBIT 415

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE NORTHERN DISTRICT OF OHIO  
3                   EASTERN DIVISION  
4                   - - -  
5

6                 IN RE: NATIONAL : MDL NO. 2804  
7                 PRESCRIPTION OPIATE :  
8                 LITIGATION :  
9                 :-----  
10

11                 THIS DOCUMENT RELATES TO : CASE NO.  
12                 ALL CASES : 1:17-MD-2804  
13                 :-----  
14                 : Hon. Dan A.  
15                 : Polster  
16                 - - -  
17

18                 January 30, 2019  
19                 - - -  
20

21                 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
22                 CONFIDENTIALITY REVIEW  
23

24                 Videotaped deposition of JANET  
1                 GETZEY HART taken pursuant to notice, was held at  
2                 the law offices of Morgan, Lewis & Bockius LLP,  
3                 1701 Market Street, Philadelphia, Pennsylvania,  
4                 beginning at 9:34 a.m., on the above date, before  
5                 Ann Marie Mitchell, a Federally Approved  
6                 Certified Realtime Reporter, Registered Diplomate  
7                 Reporter, Registered Merit Reporter and Notary  
8                 Public.  
9                 - - -  
10

11                 GOLKOW LITIGATION SERVICES  
12                 877.370.3377 ph | 917.591.5672 fax  
13                 deps@golkow.com  
14

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<p>1       Q. Were any suspicious orders ever      2 reported to you at the corporate office?      3       A. There were none reported to me.      4       Q. And to be clear, you never      5 received a report of a suspicious order your      6 entire time working in the corporate office from      7 1995 through 2018. Correct?      8       A. I did not.      9       Q. Going down to paragraph 5, it      10 says, if a suspicious order is reported to      11 corporate, the corporate government affairs will      12 determine whether to "ship" or "do not ship."      13       Do you see that?      14       A. I do.      15       Q. And this is the same corporate      16 office that we just referred to, the government      17 affairs office. Right?      18       A. That is correct.      19       Q. So that would be you?      20       A. That would be me.      21       Q. How would you make the      22 determination of whether to ship or not ship?      23       A. There would be a number of      24 factors that would come into play. The very</p>	<p>1 factors based on?      2       A. Based on my knowledge of the      3 industry, based on my years of experience having      4 dealt with the DEA for a period of -- for a long      5 period of time, and knowing how to review a store      6 as far as its book of business, going way back to      7 even my days as the pharmacy district manager in      8 the Baltimore market.      9       Q. But to be clear, you never had to      10 make the decision whether to ship or not ship      11 because you never received any report of a      12 suspicious order. Right?      13       A. That is correct.      14       Q. And going down to paragraph 6, it      15 says, "All discussions, investigations and      16 reports will be maintained in the file designated      17 'Suspicious Orders.'"      18       Do you see that?      19       A. I do.      20       Q. Am I correct to assume that there      21 was no file designated suspicious orders because      22 there were no suspicious orders?      23       A. You are correct.      24       Q. Who would keep that file, if</p>
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<p>1 first factor that I would look at is if it was an      2 auto ship order, that it came through the      3 algorithm and that was what the algorithm      4 provided. That would be a key one.      5       A second one would be to look at      6 the size of the order, to determine if the      7 unusual size of it was due to something at the      8 pharmacy that was placing the order, if there was      9 something unusual happening at that pharmacy.      10       Q. Anything else you would look at?      11       A. That would be it.      12       Q. Was there any written policy or      13 procedure about how to make that decision about      14 whether to ship or not ship?      15       A. To the best of my knowledge, no.      16       Q. So the factors you just testified      17 about that you would use to determine whether to      18 ship or not ship, those were just ones that you      19 yourself personally came up with. Right?      20       A. Yes.      21       MS. McENROE: Objection to form.      22       THE WITNESS: Sorry.      23 BY MR. POWERS:      24       Q. What were those based on, those</p>	<p>1 there was one?      2       A. Our office would maintain a file.      3 And there would be a file maintained at the      4 individual distribution center.      5       Q. How did you ensure that the      6 policy we just talked about in Exhibit 1      7 reflected on page 46179 was followed at the      8 distribution centers?      9       MS. McENROE: Objection to form.      10       THE WITNESS: The distribution      11 center has constant monitoring. They      12 have audits completed by our internal      13 audit group and by asset protection, and      14 by logistics and transportation, where      15 there are individual groups that go into      16 each of the distribution centers once a      17 year on behalf of Rite Aid and have a      18 checklist of compliance to review at the      19 distribution centers.      20       So there is a review done to make      21 sure that the processes are being      22 followed related to suspicious orders,      23 security. All of the policies and      24 procedures are reviewed and there is a</p>

<p>4 BY MR. POWERS:</p> <p>5 Q. Did you make a record of those 6 communications at all?</p> <p>7 A. If I did, it would be in email. 8 Typically it may be a phone call.</p> <p>9 Q. So besides an email, there was 10 no -- there was no log of these communications 11 that you would have had with the distribution -- 12 or, excuse me -- with the individual pharmacy 13 managers about particular stores that you had 14 questions about from the threshold log; is that 15 right?</p> <p>16 A. Pharmacy district managers. And 17 that is right.</p> <p>18 Q. Do you ever recall noticing 19 abnormalities of stores consistently ordering 20 hydrocodone products?</p> <p>21 A. There could be stores that 22 consistently ordered hydrocodone, of course.</p> <p>23 Q. But I'm saying in this process 24 we've just talked about, where you contact the</p>	<p>Page 170</p> <p>1 threshold logs had already been shipped. 2 Correct? 3 A. Yes. 4 Q. I'm going to hand you what's been 5 marked as Rite Aid Exhibit Number -- or Rite 6 Aid_Hart Exhibit Number 6. It's a multi-page 7 document with the Bates number 8 Rite_Aid_OMDL_46227 through 46319. It's a pretty 9 long document. I'm just going to ask you 10 questions about the first page.</p> <p>11 MS. McENROE: And, Will, do 12 you -- can you reference this is a 13 complete document?</p> <p>14 MR. POWERS: I believe, once 15 again, it's the range that was identified 16 in the interrogatory responses.</p> <p>17 - - -</p> <p>18 (Deposition Exhibit No. Rite 19 Aid-Hart-6, Rite Aid Controlled Drug 20 Reporting Above Average Controlled Drug 21 Purchases Report, Bates stamped 22 Rite_Aid_OMDL_0046227 through 23 Rite_Aid_OMDL_0046319, was marked for 24 identification.)</p>
	<p>Page 171</p> <p>1 pharmacy district manager as a result of the 2 threshold log, do you specifically recall any 3 instances where you contacted the pharmacy 4 district manager as a result of hydrocodone 5 orders?</p> <p>6 A. I don't remember specific to 7 hydrocodone.</p> <p>8 Q. How about specific to any opioid 9 product that Rite Aid distributed?</p> <p>10 MS. McENROE: Objection to form.</p> <p>11 THE WITNESS: I do not.</p> <p>12 BY MR. POWERS:</p> <p>13 Q. Did you use these threshold logs 14 that you were reviewing quarterly to determine 15 whether particular orders were suspicious orders?</p> <p>16 A. I did not.</p> <p>17 Q. Do you know if Chris Belli and 18 Kevin Mitchell used these logs to determine if 19 orders were suspicious orders?</p> <p>20 MS. McENROE: Objection to form.</p> <p>21 THE WITNESS: I do not.</p> <p>22 BY MR. POWERS:</p> <p>23 Q. To be clear, when you got these 24 threshold logs, these orders reflected in the</p>

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[REDACTED]

9 Q. And why did you send this to  
10 Maggie Perritt?

11 Am I pronouncing her name  
12 correctly?

13 A. Yeah, you're pronouncing it  
14 correctly.

15 Q. Why did you send this email about  
16 suspicious order monitoring to Maggie Perritt?

17 A. Maggie Perritt was in pharmacy  
18 operations and was knowledgeable of the  
19 suspicious order monitoring algorithm and how the  
20 system worked.

21 Q. When you say "suspicious order  
22 monitoring algorithm," what are you referring to?

23 A. The algorithm for placing the  
24 store's order through the -- looking at the 13

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1 weeks and then going a certain percentage above  
2 to place the order.

3 Q. Is that also the auto  
4 replenishment system that we talked about before?

5 A. Yes.

6 Q. Why are you referring to it as a  
7 suspicious order monitoring system?

8 MS. McENROE: Objection, form.

9 THE WITNESS: In this one, since  
10 it's under suspicious monitoring, that's  
11 why I was referring to that, is that --  
12 because that was the title of this  
13 particular meeting and she was bringing  
14 that aspect of it into it.

15 BY MR. POWERS:

16 Q. So Maggie Perritt was the expert  
17 on the auto replenishment system that was invited  
18 to the suspicious order monitoring meeting; is  
19 that right?

20 MS. McENROE: Objection to form.

21 THE WITNESS: From the pharmacy  
22 operations side, yes.

23 BY MR. POWERS:

24 Q. And then we talked about Kevin

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1 Mitchell.

2 Who was Andrew Palmer?

3 A. Andrew Palmer was a director in  
4 asset protection at the time, I believe.

5 Q. Why did you invite him to this  
6 meeting about suspicious order monitoring?

7 A. Because he was also key as part  
8 of it as well. Him and his team were involved  
9 with the analytics related to asset protection  
10 and the analytics related to the key performance  
11 indicators that were looked at from the asset  
12 protection side.

13 Q. How did you use the -- let me  
14 back up.

15 Did you use the asset protection  
16 analytics to determine whether orders were  
17 suspicious or not?

18 MS. McENROE: Objection to form.

19 THE WITNESS: We used the asset  
20 protection analytics to review orders and  
21 look for abnormalities. We did not use  
22 the analytics from asset protection prior  
23 to an order being shipped.

24 BY MR. POWERS:

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[REDACTED]